

JS 44C/SDNY  
REV. 4/2014

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
LDC COFFEE MERCHANDISING LLC.DEFENDANTS  
MEDITERRANEAN SHIPPING COMPANY S.A.ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Martin F. Casey, Esq., Casey & Barnett LLC, 41 Madison Avenue, Suite  
2528, New York, New York 10010; 212-286-0225

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Admiralty and Maritime Claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure. Cargo damage.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 825 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS
[x] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	[ ] 367 HEALTHCARE/	[ ] 825 DRUG RELATED	[ ] 422 APPEAL	[ ] 400 STATE
[ ] 130 MILLER ACT	LIABILITY	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	REAPPORTIONMENT
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	INJURY/PRODUCT LIABILITY	21 USC 881	[ ] 423 WITHDRAWAL	[ ] 410 ANTITRUST
INSTRUMENT	SLANDER	[ ] 365 PERSONAL INJURY	[ ] 690 OTHER	28 USC 157	[ ] 430 BANKS & BANKING
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	[ ] 365 PERSONAL INJURY			[ ] 450 COMMERCE
OVERPAYMENT &	EMPLOYERS'	PRODUCT LIABILITY			[ ] 460 DEPORTATION
ENFORCEMENT	LIABILITY	INJURY PRODUCT			[ ] 470 RACKETEER INFLU-
OF JUDGMENT	[ ] 340 MARINE	LIABILITY			ENCED & CORRUPT
[ ] 151 MEDICARE ACT	[ ] 345 MARINE PRODUCT				ORGANIZATION ACT
[ ] 152 RECOVERY OF	LIABILITY	<b>PERSONAL PROPERTY</b>			(RICO)
DEFAULTED	[ ] 350 MOTOR VEHICLE	[ ] 370 OTHER FRAUD		[ ] 820 COPYRIGHTS	[ ] 480 CONSUMER CREDIT
STUDENT LOANS	[ ] 355 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING		[ ] 830 PATENT	[ ] 480 CABLE/SATELLITE TV
(EXCL VETERANS)	PRODUCT LIABILITY			[ ] 840 TRADEMARK	
[ ] 153 RECOVERY OF	[ ] 380 OTHER PERSONAL	[ ] 380 OTHER PERSONAL	<b>LABOR</b>		<b>SOCIAL SECURITY</b>
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[ ] 710 FAIR LABOR	[ ] 861 HIA (1395m)	[ ] 850 SECURITIES/
OF VETERANS'	[ ] 382 PERSONAL INJURY -	[ ] 385 PROPERTY DAMAGE	STANDARDS ACT	[ ] 862 BLACK LUNG (923)	COMMODITIES/
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	[ ] 720 LABOR/MGMT	[ ] 863 DIWC/DWW (405(g))	EXCHANGE
[ ] 160 STOCKHOLDERS			RELATIONS	[ ] 864 SSID TITLE XVI	
SUITS			[ ] 751 FAMILY MEDICAL	[ ] 865 RSI (405(g))	[ ] 880 OTHER STATUTORY
[ ] 190 OTHER		<b>PRISONER PETITIONS</b>	LEAVE ACT (FMLA)		ACTIONS
CONTRACT		[ ] 483 ALIEN DETAINEE	[ ] 740 RAILWAY LABOR ACT		[ ] 891 AGRICULTURAL ACTS
CONTRACT		[ ] 510 MOTIONS TO		<b>FEDERAL TAX SUITS</b>	
PRODUCT	<b>ACTIONS UNDER STATUTES</b>	VACATE SENTENCE		[ ] 870 TAXES (U.S. Plaintiff or	[ ] 893 ENVIRONMENTAL
LIABILITY	<b>CIVIL RIGHTS</b>	28 USC 2255	[ ] 780 OTHER LABOR	Defendant)	MATTERS
[ ] 198 FRANCHISE		[ ] 530 HABEAS CORPUS	LITIGATION	[ ] 871 IRS-THIRD PARTY	[ ] 895 FREEDOM OF
	[ ] 440 OTHER CIVIL RIGHTS	[ ] 535 DEATH PENALTY	[ ] 791 EMPL RET INC	26 USC 7609	INFORMATION ACT
	(Non-Prisoner)	[ ] 540 MANDAMUS & OTHER	SECURITY ACT (ERISA)		[ ] 898 ARBITRATION
<b>REAL PROPERTY</b>	[ ] 441 VOTING		<b>IMMIGRATION</b>		[ ] 899 ADMINISTRATIVE
[ ] 210 LAND	[ ] 442 EMPLOYMENT	<b>PRISONER CIVIL RIGHTS</b>	[ ] 462 NATURALIZATION		PROCEDURE ACT/REVIEW OF
CONDEMNATION	[ ] 443 HOUSING/	[ ] 550 CIVIL RIGHTS	APPLICATION		APPEAL OF AGENCY DECISIC
[ ] 220 FORECLOSURE	ACCOMMODATIONS	[ ] 555 PRISON CONDITION	[ ] 485 OTHER IMMIGRATION		[ ] 950 CONSTITUTIONALITY C
[ ] 230 RENT LEASE &	[ ] 445 AMERICANS WITH	[ ] 560 CIVIL DETAINEE	ACTIONS		STATE STATUTES
EJECTMENT	DISABILITIES -	CONDITIONS OF CONFINEMENT			
[ ] 240 TORTS TO LAND	EMPLOYMENT				
[ ] 245 TORT PRODUCT	[ ] 446 AMERICANS WITH				
LIABILITY	DISABILITIES -OTHER				
[ ] 280 ALL OTHER	[ ] 448 EDUCATION				
REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE:

DEMAND \$55987.93 OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32)

(PLACE AN x IN ONE BOX ONLY)

## ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented  
☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

## BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [ ] 5 [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6 [ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

LDC Coffee Merchandising LLC, 40 Danbury Road, Wilton, CT 06897

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Mediterranean Shipping Company Company S.A., 420 Fifth Avenue, New York, New York 10018, New York County

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

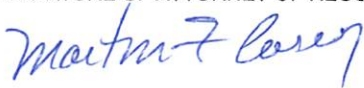
Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN  
 (DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

9/30/15  
RECEIPT #



[ ] NO  
☒ YES (DATE ADMITTED Mo. 2 Yr. 87)  
 Attorney Bar Code # MFC-1415

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)